REMARKS

After the above amendments, Claims 1-9, 12-20, 26, 34, 37, 39 and 42 are pending.

Claims 1-26, 28-31, 34-37 and 39-42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,274,547 to Lee et al. ("Lee") in view of U.S. Patent No. 7,383,233 to Singh et al. ("Singh").

Claims 1-6, 7, 12, 13, 15, 26, 34, 37, 39 and 42 have been amended, as indicated above, for clarification. Claims 10, 11, 21-25, 28-31, 35, 36, 40 and 41 have been cancelled without prejudice or disclaimer. The rejections under §103 are traversed for at least the reasons described herein.

Section 103 Rejections

Claims 1-26, 28-31, 34-37 and 39-42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Singh. As an initial matter, the first named inventor of U.S. Patent No. 5,274, 547 is Zoffel, not Lee. Upon a search of PAIR, Assignee found a reference cited by the Examiner with a first named inventor of Lee. However, this reference is U.S. Patent Application Publication No. 2004/0117383. Assignee presumes that this reference was the reference used by the Examiner in the §103 rejection. Accordingly, Assignee is proceeding as if the §103 rejection is based on the combination of U.S. Patent Application Publication No. 2004/0117383 (hereinafter referred to as "Lee") and Singh.

Independent Claim 1, as amended, recites a method for providing customer sales information, the method comprising:

> receiving a request for customer sales information associated with a customer from a remote terminal of a sales representative of a business organization at a customer sales information processing and communication server associated with and under the control of the business organization;
>
> retrieving external credit rating information associated with the customer from an external credit rating agency system via the customer sales information processing and communication server, wherein the external credit rating agency system is not associated with the organization;
>
> retrieving internal customer information associated with the customer by the business organization, via the customer sales information processing and communication server, wherein the internal customer information includes payment history information associated with the customer; and
>
> sending the customer sales information from the customer sales information processing and communication server to the remote terminal, wherein the customer sales information is based on the external credit rating information and upon the internal customer information.

Amended independent Claims 34 and 39 contain similar recitations.

The primary reference, Lee, describes a computerized system, method, and program for providing a multi-functional customer and product management tool over a common network, such as the Internet, available to various parties such as the client/manufacturer, repair facility, call center, and the warehouse. A common customer record for each customer is generated in a database which can be updated to include information such as customer contact and purchase history information. A common product record for each product is generated in a database which can be updated to include information such as general product and warehouse inventory information. Both the customer and product records are then made available to a user depending on the functionality of the management tool chosen by the user. (paragraph 0009). However, Lee does not describe or suggest ***retrieving external credit rating information associated with the customer from an external credit rating agency system, retrieving internal customer information associated with the customer by the business organization, wherein the internal customer information includes payment history information associated with the customer***, and ***sending the customer sales information to the terminal, wherein the customer sales information is based on the external credit rating information and upon the internal customer information***, as recited in amended Claim 1. In fact, Lee is wholly silent as to external credit rating information, and is wholly silent as to customer sales information based on external credit rating information and upon internal customer information.

The secondary reference, Singh, fails to overcome the deficiencies of Lee. Singh describes a method for designing an electronic transactions system and forming a proposal for doing business on a global communications network. Singh describes reviewing existing direct sales screening processes, creating new processes, integrating new and existing screening processes, determining and implementing legal terms and conditions for electronic transactions and forming electronic media for posting. Additional steps may include identifying possible transactions based on available products and services, approaching subject matter experts to obtain data, preparing electronic templates and filter mechanisms, and presentation of proposed methods. Steps dealing with legal issues include incorporating terms and conditions of sales through the site, preparing agreements for financial institutions to govern electronic payments, and developing exclusion clauses for traditional third party contracts. (Abstract). Singh does not describe or suggest ***retrieving external credit rating information associated with the customer from an external credit rating agency system,***

retrieving internal customer information associated with the customer by the business organization, wherein the internal customer information includes payment history information associated with the customer, and ***sending the customer sales information to the terminal, wherein the customer sales information is based on the external credit rating information and upon the internal customer information***, as recited in amended Claim 1. In fact, Singh is wholly silent as to external credit rating information, and is wholly silent as to customer sales information based on external credit rating information and upon internal customer information.

As such, independent Claim 1 is not rendered obvious by the combination of Lee and Singh because Lee and Singh, alone or in combination, fail to teach or suggest all of the recitations of Claim 1. As such, the rejection of independent Claim 1 under 35 U.S.C. §103 is overcome. Additionally, dependent Claims 2-9 and 12-20 are patentable at least by virtue of the patentability of independent Claim 1, from which they depend and respectfully request the allowance thereof. For at least the same reasons set forth above, the rejections of independent Claims 34 and 39 under 35 U.S.C. §103, based on Lee and Singh, are overcome.

Independent Claim 26, as amended, recites a method for providing customer sales information, comprising:

> receiving a request for customer sales information associated with a customer from a remote terminal of a sales representative of a business organization at to a customer sales information processing and communication server associated with and under the control of the business organization;
>
> retrieving customer rating information associated with the customer via using the customer sales information processing and communication server, comprising retrieving an external credit rating from an external credit rating agency, wherein the external credit rating agency system is not associated with the organization;
>
> retrieving internal customer information associated with the customer from the business organization, wherein the internal customer information includes payment history information associated with the customer and an internal customer rating based on both the external credit rating and the internal customer information;
>
> automatically determining a sales term using the customer sales information processing and communication server, wherein the sales term is based on the customer rating information and internal customer information, wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment; and
>
> sending the sales term to the remote terminal from the customer sales information processing and communication server.

Amended independent Claims 37 and 42 contain similar recitations.

The primary reference, Lee, is wholly silent as to automatically determining a sales term ***based on the customer rating information and internal customer information, wherein***

the sales term includes at least one of a maximum allowed sale amount and a required down payment, as recited in independent Claim 26. In fact, the terms "sales term", "sales amount", and "down payment" are not found in Lee. The secondary reference, Singh, fails to overcome the deficiencies of Lee. Singh is also wholly silent as to automatically determining a sales term ***based on the customer rating information and internal customer information, wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment***, as recited in independent Claim 26. In fact, the terms "sales term", "sales amount", and "down payment" are not found in Singh.

As such, independent Claim 26 is not rendered obvious by the combination of Lee and Singh because Lee and Singh, alone or in combination, fail to teach or suggest all of the recitations of Claim 26. As such, the rejection of independent Claim 26 under 35 U.S.C. §103 is overcome. For at least the same reasons set forth above, the rejections of independent Claims 37 and 42 under 35 U.S.C. §103, based on Lee and Singh, are overcome.

Dependent Claims

As each of the dependent claims depends from a base claim that is believed to be in condition for allowance, Assignee does not believe that it is necessary to argue the allowability of each dependent claim individually. Assignee does not necessarily concur with the interpretation of these claims, or with the bases for rejection set forth in the Action. Assignee therefore reserves the right to address the patentability of these claims individually as necessary in the future.

CONCLUSION

In view of the above, it is respectfully submitted that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

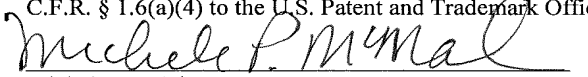


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4) to the U.S. Patent and Trademark Office on **December 27, 2010**.



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